

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Samola Family Trust; The Omega Group;
Samuel Daniel Cooper, III; Betty Jean
Williams-Gibbs; Donald Enoch Muhammad,

Plaintiffs,

v.

Dale Edward Van Slambrook; South Carolina
Community Bank; Dominik Mjartan, *C.E.O.*;
Charles Webb, *Esq.*,

Defendants.

Case No.: 2:19-CV-02462-SAL

OPINION AND ORDER

This matter is before the Court for review of the February 4, 2020 Report and Recommendation (“Report”) of United States Magistrate Judge Bristow Marchant. *See* ECF No. 32. For those reasons set forth in the Report, the Magistrate Judge recommends denying Plaintiffs’ Motion to Stay, ECF No. 27, dismissing Plaintiffs’ Complaint with prejudice and without issuance and service of process, and denying without prejudice the Motion to Dismiss, ECF No. 6, filed by Defendants Dominik Mjartan and South Carolina Community Bank. No party filed objections to the Report, and the time to do so has passed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the Court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the Court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the Court finds no clear error, adopts the Report, and incorporates the Report by reference herein. Accordingly, Plaintiffs' Motion to Stay, ECF No. 27, is DENIED; Defendants' Motion to Dismiss, ECF No. 6, is DENIED without prejudice; and Plaintiffs' Complaint is DISMISSED with prejudice and without issuance and service of process.

IT IS SO ORDERED.

/s/ Sherri A. Lydon
Sherri A. Lydon
United States District Judge

May 22, 2020

Florence, South Carolina